

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7632

KENNETH BERNARD GREEN,

Plaintiff - Appellant,

versus

SOUTH CAROLINA PROBATION, PAROLE AND PARDON
SERVICES; SOUTH CAROLINA ADMINISTRATIVE LAW
JUDGE DIVISION CLERK,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Beaufort. Henry M. Herlong, Jr., District Judge.
(CA-03-1629-9-20)

Submitted: December 11, 2003

Decided: December 23, 2003

Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Kenneth Bernard Green, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Kenneth Bernard Green appeals the district court's order dismissing his 42 U.S.C. § 1983 (2000) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2000). The magistrate judge recommended dismissing the case pursuant to the three strikes rule, see 28 U.S.C. § 1915(g) (2000), and advised Green that failure to file timely, specific objections to this recommendation could waive appellate review of a district court order based upon the recommendation. Despite this warning, the majority of Green's objections to the magistrate judge's recommendation were nonspecific and irrelevant.

The timely filing of specific objections to a magistrate judge's recommendation is necessary to preserve appellate review of the substance of that recommendation when the parties have been warned that failure to object will waive appellate review. See Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985). Although the district court found that Green filed a specific objection to the magistrate judge's determination that Green was not in imminent danger of serious physical harm, we find that Green has waived this issue on appeal by failing to raise it in his informal brief. See 4th Cir. R. 34(b). We further find that Green has waived appellate review of the remainder of his claims by failing to file any other specific

objections after receiving proper notice. Accordingly, we affirm the judgment of the district court.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED